

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES DECEMBER 9, 2020

1. CALL TO ORDER & ATTENDANCE

At 9:00 a.m., Commissioner Ainsworth declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Pope and Commissioner Mordhorst were present.

Staff present: Greg Hansen, Administrative Officer
Matt Hawkins, Administrative Service Director
Morgan Smith, County Counsel

2. ANNOUNCEMENTS

Regular meetings of the Board of Commissioners are held on Tuesday and Wednesday each week. The meetings are held in the Courthouse Conference Room, 850 Main Street, Dallas, Oregon at 9:00 a.m. and is conducted according to a prepared agenda that lists the principal subjects anticipated to be considered. Pursuant to ORS 192.640, the Board may consider and take action on subjects that are not listed on the agenda.

Department Head/staff meetings with the Board of Commissioners are held on Monday, Thursday, and Friday. The meetings are held in the Board of Commissioners' Office Conference Room and are conducted between 9:00 a.m. and 5:00 p.m. The principal subjects anticipated to be considered are on-going, upcoming, and new matters bearing on County operations. Pursuant to ORS 192.640, the Board of Commissioners may consider and take action on subjects not listed within this announcement.

Effective December 2, 2020 Polk County offices will be closed to the general public. In an effort to provide mandatory services, a majority of county services will be available by appointment or via telephone and electronic means.

3. COMMENTS (FOR ITEMS NOT ON THIS AGENDA)

None

4. APPROVAL OF AGENDA

MOTION: COMMISSIONER MORDHORST MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE AGENDA.

MOTION PASSED UNANIMOUSLY.

5. APPROVAL OF CONSENT CALENDAR

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER MORDHORST SECONDED, TO APPROVE THE AGENDA.

MOTION PASSED UNANIMOUSLY.

6. APPROVAL OF MINUTES OF BOARD MEETING OF NOVEMBER 25, 2020

MOTION: COMMISSIONER MORDHORST MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE MINUTES OF NOVEMBER 25, 2020.

MOTION PASSED UNANIMOUSLY.

7. LAND USE DELIBERATION AND DECISION

Sidney Mulder, Planning Manager, discussed Planning Application ZC18-02 and PA 18-01, which affects approximately 228 acres of land comprising of seven parcels under four different ownerships and are located just west of Salem. These properties are currently zoned as

exclusive farm use and have a comprehensive plan designation of agriculture. The applicants are proposing to change the zoning designation to agriculture and forestry 10 acre zone and to change the comprehensive plan designation to rural lands. To justify the rural lands comprehensive plan designation the applicants have also applied for an exception to statewide planning rules three and four. The intent of this proposal is to create parcels ten acres in size to allow for acreage residential development and establishment of hobby farms.

On October 15, 2019 the Polk County Hearings Officer conducted a public hearing for this matter, on June 1, 2020 the Hearings Officer issued a denial recommendation to the Board of Commissioners. July 22, 2020 the Board conducted a public hearing announcing that the record would be left open until August 19, 2020 and announced a deliberation date of October 7, 2020. On October 7, 2020 it was announced that ex parte communication occurred when a constituent individually contacted Commissioner Mordhorst after the record was closed. Commissioner Pope and Commissioner Ainsworth moved to reopen the record and allow additional testimony in response to the ex parte communication. Planning staff sent notice of the new open record timeline as well as the narrative of the ex parte communication that occurred. The record closed on November 5, 2020 and all additional testimony that was submitted during that open record period is included in the record.

Ms. Mulder stated that after considering all evidence in the record staff recommends that the Board adopt the Hearings Officers finding, in conclusion to deny these applications.

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER MORDHORST SECONDED, TO ADOPT THE HEARINGS OFFICERS FINDINGS.

COMMISSIONER AINSWORTH MOVED TO DENY THE PLANNING STAFF RECOMMENDATION.

MOTION PASSED BY UNANIMOUS VOTE OF THE QUORUM.

Ms. Mulder stated that planning staff will make an ordinance for the Board to approve in two weeks.

At 9:05 a.m. County Counsel announced that the meeting was recessed to Executive Session pursuant to ORS 192.660 (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.


Commissioner Ainsworth called the meeting back into regular session and adjourned the meeting at 9:15 a.m.

The following items were approved by Motion under **5. APPROVAL OF CONSENT CALENDAR:**

- (a) **CONTRACT NO. 20-221 – FAMILY AND COMMUNITY OUTREACH**
Approve Contract No. 20-221 amendment 3 to IGA 154320 for the SPRF contract that pays for the Family Navigator Program.
- (b) **CONTRACT NO. 20-222 – BEHAVIORAL HEALTH**
Approve Contract No. 20-222 & amendment 1 with Marion County Health & Human Services to establish terms under which Marion County provides pass through funds from DHS/OHA.

- (c) **CONTRACT NO. 20-225 – EMERGENCY MANAGEMENT**
Approve Contract No. 20-225 for the Emergency Management Performance Grant.
- (d) **RATIFY VALID VOUCHERS, LICENSES, PERSONNEL ACTIONS, PAYROLL, ETC., FOR THE MONTH OF NOVEMBER 2020.**

POLK COUNTY BOARD OF COMMISSIONERS


Mike Ainsworth, Chair


Craig Pope, Commissioner


Lyle Mordhorst, Commissioner